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*Attorneys for Xerox Education Services, LLC  
(until recently known as Xerox Education  
Services, Inc. and sued herein as Affiliated  
Computer Services, Inc.), Affiliated Computer  
Services, Inc. (improperly sued herein), and  
U.S. Bank, N.A.*

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CINDY L. BREITMAN, on behalf of herself and all  
others similarly situated,

Plaintiff,

-against-

XEROX EDUCATION SERVICES, INC., s/h/i as  
AFFILIATED COMPUTER SERVICES, INC.,  
NEXTSTUDENT, INC., and U.S.BANK, N.A.,

Defendants.

Case No. 12 cv 6583 (PAC) (FM)

**NOTICE OF MOTION  
TO DISMISS WITH RESPECT  
TO PLAINTIFF'S AMENDED  
CLASS ACTION COMPLAINT**

**PLEASE TAKE NOTICE** that, upon the accompanying Declaration of Edward K. Lenci, dated February 27, 2013, and the accompanying "Defendants' Memorandum of Law in Support of Their Motion to Dismiss Plaintiff's Amended Class Action Complaint," Xerox Education Services, LLC (until recently known as Xerox Education Services, Inc. and sued herein as Affiliated Computer Services, Inc.), Affiliated Computer Services, Inc. (improperly sued herein), and U.S. Bank, N.A., by and through their attorneys, Hinshaw & Culbertson LLP,

will move this Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, at the U.S. Courthouse, 500 Pearl Street, New York, New York 10007, before the Honorable Paul A. Crotty, U.S. District Court Judge, on a date and time to be determined by the Court, for an Order dismissing: a) the Second through Sixth Claims for Relief of Plaintiff's Amended Class Action Complaint in their entirety, and b) the First Claim for Relief thereof as to all aspects of it other than that specifically concerning one payment Plaintiff made in January 2013.

**PLEASE TAKE FURTHER NOTICE** that the parties have agreed that opposition papers are to be filed and served by or on April 5, 2013, and that reply papers are to be filed and served by or on April 17, 2013.

Dated: New York, New York  
February 27, 2013

HINSHAW & CULBERTSON LLP

By: 

Edward K. Lencz (EL 3207)

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